



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/609,308	06/27/2003	David T. Campbell	MS1-1562US	8029
22801	7590	03/06/2006	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			FIGUEROA, MARISOL	
		ART UNIT	PAPER NUMBER	
		2681		
DATE MAILED: 03/06/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/609,308	CAMPBELL, DAVID T.	
	Examiner Marisol Figueroa	Art Unit 2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 18 July 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 18-24 and 26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 18-24 and 26 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 27 June 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

DETAILED ACTION

1. This Action is in response to Applicant's amendment filed on 12/06/2005. Claims 1-17, 25, 27- 36 were previously cancelled. Claims 18-24, and 26 are pending in the present application.

Response to Arguments

2. Applicant's arguments with respect to claims 18-24, and 26 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claim 26** is rejected under 35 U.S.C. 103(a) as being obvious over Souissi et al. (US 6,167,268) in view of Gupta (US 2003/0022701 A1).

Regarding claim 26, Souissi discloses a wireless communication device comprising:

a processor (Fig. 2; col.3, lines 56-60; processor 43);

an antenna module configured to receive multiple radio frequency (RF) signals (col.3, lines 36-41; the subscriber unit intercepts messages, i.e. RF signals, via antenna 204 and satellite signals are intercepted by GPS receiver 242);

an analog to digital converter executable on the processor and configured to convert the RF signals to digital signal information used by the processor (it is noted that this is inherent because

the mobile station's processor operates on digital data and the antenna receives analog signals and therefore it is necessary an A/D converter to convert the RF signals to digital signal information);

instructions stored in a memory (col.3, lines 56-60) executable on the processor to store location communications network available to a user and determine from the digital signal information available communication networks to the user (col.4, lines 9-21, 28-32; p.0023, lines 8-23; p.0024, lines 1-4; col.4, lines 64-col.5, lines 1-35; the subscriber unit comprises a memory with a system location database 226 including system identifiers and location coordinates of wireless systems of interest to the subscriber unit, the subscriber unit can determine its location through signals received from GPS satellites and then select a system from the database according to the current location of the subscriber unit); and

a GPS module configured to receive RF signals from GPS satellites through the antenna module and analog to digital converter indicating location of the wireless communication device (col.3, lines 53-55; col.4, lines 66-col.5, lines 1-2; col.5, lines 17-21; the subscriber unit equipped with a GPS receiver determine its position from the reception of signals from GPS satellites).

However, Souissi fails to disclose wherein the instructions are further comprised of a map that indicates to a user relative location of the wireless communication device. Gupta teaches a mobile communication device that using a built-in GPS receiver has the ability to display local maps and the present position of the communications device to the user in a map (p.0050). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to provide instructions comprised of a map that indicate to a user a relative location of the wireless communication device as suggested by Gupta, because the user will have a visual image of its current location that will orient the user on traveling to other locations.

5. **Claims 18 and 19** are rejected under 35 U.S.C. 103(a) as being obvious over Souissi et al. in view of Gupta, and further in view of Holloway et al. (US 2003/0092451 A1).

Regarding claim 18, the combination of Souissi and Gupta disclose the wireless communication device of claim 26, but fails to disclose wherein the instructions are further comprised to send call forwarding instructions to service providers based on conditions set by the user. Holloway teaches a method for triggering the automatic forwarding of calls for the mobile phone to the preferred telephone number when in proximity of the preferred phone (abstract, lines 1-4). The user who carries the mobile phone prefers to receive calls on the preferred phone such as the user's home phone (wireline network) whenever possible, the preferred phone is equipped with a low-power transmitter to notify the handheld mobile phone that it is in proximity of the preferred phone and when the mobile phone recognizes the signal from the preferred phone, the mobile phone sends a message to the cellular network requesting forwarding of calls to the preferred phone number (p.0006; p.0014; 0016). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to further include instructions comprised of sending call forwarding instructions to service providers based on conditions set by the user as suggested by Holloway, in order for the user to receive calls in a preferred network.

Regarding claim 19, the combination of Souissi, Gupta, and Holloway disclose the wireless communication device of claim 18, Holloway discloses wherein the call forwarding instructions are to forward calls to a particular carrier (p.0006, lines 1-8; p.0014; lines 5-7; the calls are forwarded to the user's home phone which is the preferred phone for the user that is connected to a wireline network). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to forward calls to a particular carrier as suggested by Holloway, because a particular carrier may be the preferred carrier network for a user to receive communication.

6. **Claims 20 and 21** are rejected under 35 U.S.C. 103(a) as being obvious over Souissi et al. in view of Gupta, and Holloway et al., and further in view of Benjamin et al. (US 2004/0028057 A1).

Regarding claim 20, the combination of Souissi, Gupta, and Holloway disclose the wireless communication device of claim 18, Holloway fails to disclose wherein the conditions are based on lowest cost to operate. Benjamin teaches wireline telephone have the advantage of having a better quality than mobile cell phones (p.0004, lines 18-22). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, forward calls based on lowest cost to operate as suggested by Benjamin, in order for the user to lower expenses on using communication services.

Regarding claim 21, the combination of Souissi, Gupta, and Holloway disclose the wireless communication of claim 18, Holloway fails to disclose wherein the forwarding conditions are based on quality of service for a particular carrier (i.e. wireline network). Benjamin teaches that wireline telephone have the advantage of having a better quality than mobile cell phones (p.0004, lines 18-22). Therefore, it would have been obvious to one having ordinary skill in the art, to forward calls to a particular carrier (i.e. wireline network) based on a quality of service as taught by Benjamin, because forwarding calls to a network with a higher quality ensures that the user will get the best available service for the calls.

7. **Claims 22-23** are rejected under 35 U.S.C. 103(a) as being obvious over Souissi et al. in view of Gupta, and further in view of Sundar et al. (US 2003/0134650 A1).

Regarding claim 22, the combination of Souissi and Gupta disclose the wireless communication device of claim 26, but fails to disclose wherein the instructions comprise service set identifier numbers of wireless area networks accessible by the user.

Sundar teaches a mobile station that is provisioned with SSID of wireless networks to allow the mobile station to detect wireless networks and access valid networks, which are the networks, which SSID are listed in memory of the mobile station (p.0055-0059). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, for providing service set identifiers numbers of wireless area networks accessible by the user as suggested by Sundar, in order minimize the unnecessary scanning for wireless area networks by a mobile station.

Regarding claim 23, the combination of Souissi, Gupta, and Sundar disclose the wireless communication device of claim 26, Souissi discloses wherein the instructions are further comprised to store service set identifier numbers of wireless area networks accessible by the wireless communication device (p. 0059; the mobile station is provisioned with a list of SSID identifiers). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to store service set identifier numbers of wireless area networks accessible by the wireless communication device as suggested by Souissi, because it will allow the wireless communication device to access wireless networks whose service set identifiers numbers are listed in the memory.

8. **Claim 24** is rejected under 35 U.S.C. 103(a) as being obvious over Souissi et al. in view of Gupta, and further in view of Bridges et al. (US 6,546,246 B1).

Regarding claim 24, the combination of Souissi and Gupta disclose the wireless communication device of 26, but fails to disclose wherein the instructions are further comprised to store system identification number (SID) and access information of cellular networks accessible by the wireless communication device. Bridges teaches a mobile station with a memory that stores a list of preferred wireless carrier identities for use by the mobile station when roaming (abstract, lines 2-4). The list of preferred wireless carrier identities comprises a plurality of entries indicating a system identification number (SID) and a corresponding frequency band (col.6, lines 7-11) and permits a

Art Unit: 2681

mobile station to immediately obtain service on a preferred cellular network when the mobile station is roaming (col.8, lines 51-54; col.8, lines 61 – col.9, lines 1). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to store system identification number (SID) and access information of cellular networks accessible by the wireless communication device as suggested by Bridges, in order for the mobile station to immediately obtain service from a preferred cellular network when the mobile station is roaming.

Prior Art Made of Record

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- (1) HASON et al. (US 2005/0250496 A1) – A wireless communication system that comprises a database of coverage areas of a plurality of wireless networks.
- (2) HSU et al. (US 2004/0176024) – Method and apparatus for detection and selection of WLANs.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marisol Figueroa whose telephone number is (571) 272-7840. The examiner can normally be reached on Monday Thru Friday 8:30 a.m. - 5:00 p.m..

11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2681

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marisol Figueroa
Marisol Figueroa

Sonny Trinh
SONNY TRINH
PRIMARY EXAMINE